

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Alfonso L. Spells  
Tinika M. Robinson-Spells**  
Debtor(s)

Bankruptcy Case No.: 15-21453-CMB  
Related To Docket No. 74  
Chapter: 13  
Docket No.: 80 - 74  
Concil. Conf.: September 22, 2016 at 03:00 PM

**CERTIFICATE OF SERVICE**

I certify under penalty of perjury that I am, and at all times hereinafter mentioned was, more than 18 years of age and that

on the 29th day of July, 2016, I served a copy of the within *Order* together with the *Notice of Proposed Modification to Confirmed Plan* and the *Amended Plan* filed in this proceeding, by (describe the mode of service):

REGULAR US POSTAL SERVICE

on the respondent(s) at (list names and addresses here):

SEE ATTACHED MAILING MATRIX

Executed on July 29, 2016  
(Date)

/s/ Leslie Nebel  
(Signature)

Leslie Nebel, 707 Grant Street, Suite 2830, Pittsburgh, PA 15219  
(Type Name and Mailing Address of Person Who Made Service)

Case 15-21453-CMB

WESTERN DISTRICT OF PENNSYLVANIA

Pittsburgh

Wed Sep 9 08:34:54 EDT 2015

Ally Financial

PO Box 380901

Minneapolis, MN 55438-0901

Ally Financial

PO Box 130424

Roseville, MN 55113-0004

American InfoSource LP as agent for

DIRECTV, LLC

PO Box 51178

Los Angeles, CA 90051-5478

American InfoSource LP as agent for

Midland Funding LLC

PO Box 268941

Oklahoma City, OK 73126-8941

American InfoSource LP as agent for

T Mobile/T-Mobile USA Inc

PO Box 248848

Oklahoma City, OK 73124-8848

Peter J. Ashcroft

Bernstein-Burkley, P.C.

Suite 2200, Gulf Tower

Pittsburgh, PA 15219-1900

Ashley Stewart

PO Box 182125

Columbus, OH 43218-2125

Best Buy

PO Box 6497

Sioux Falls, SD 57117-6497

Borough of Swissvale

7447 Washington Street

Pittsburgh, PA 15218-2581

Bureau of UC Benefits and Allowances

P.O. Box 67503

Harrisburg, PA 17106-7503

CAPITAL ONE, N.A.

C/O BECKET AND LEE LLP

POB 3001

MALVERN, PA 19355-0701

CNAC

12802 Hamilton Crossing Blvd

Carmel, IN 46032-5424

Capital One

PO Box 71083

Charlotte, NC 28272-1083

Cavalry SPV I, LLC

500 Summit Lake Drive, Ste 400

Valhalla, NY 10595-1340

Cavalry SPV I, LLC

Assignee of Capital One Bank USA, N.A.

Bass &amp; Associates, P.C.

3936 E Ft. Lowell Road Suite #200

Tucson, AZ 85712-1083

Chase Receivables Prof. Collection Agcy

1247 Broadway

Sonoma, CA 95476-7503

(p)CITIBANK

PO BOX 790034

ST LOUIS MO 63179-0034

Citizens Bank

PO Box 42023

Providence, RI 02940-2023

Commonwealth of PA - Dept. of Labor &amp; Indust

Labor &amp; Industry Bldg., 10th Floor

651 Boas Street

Harrisburg, PA 17121-0725

(p)CONTINENTAL FINANCE COMPANY LLC

PO BOX 8099

NEWARK DE 19714-8099

Department Stores National Bank For Macys Br

Bankruptcy Processing

Po Box 8053

Mason, OH 45040-8053

Department of Economic Development

425 Sixth Avenue, Suite 800

Pittsburgh, PA 15219-1876

Discover Bank

Discover Products Inc

PO Box 3025

New Albany, OH 43054-3025

(p)DISCOVER FINANCIAL SERVICES LLC

PO BOX 3025

NEW ALBANY OH 43054-3025

Duquesne Light Company

Payment Processing Center

PO Box 67

Pittsburgh, PA 15267-0067

Equitable Gas Bankruptcy Department

Attn: Judy Gawlowski

225 North Shore Drive 2nd Floor

Pittsburgh, PA 15212-5860

Fast Loans

PO Box 50191

Minneapolis, MN 55405-0191

Fingerhut  
PO Box 166  
Newark, NJ 07101-0166

Gordon's Jewelers  
Document Page 3 of 15  
PO Box 183015  
Columbus, OH 43218-3015

Andrew F Gornall  
KML Law Group, P.C.  
701 Market Street  
Suite 5000  
Philadelphia, PA 19106-1541

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

JC Penney  
PO Box 960090  
Orlando, FL 32896-0090

JC Penney  
c/o Portfolio Recovery Associates  
PO Box 12914  
Virginia Beach, VA 23451

JD Byrider  
4916 William Penn Highway  
Monroeville, PA 15146-3756

Jared  
c/o Steling Incorporated  
Customer Service Dept.  
375 Ghent Road  
Akron, OH 44333-4601

Kay Jewelers  
PO Box 740425  
Cincinnati, OH 45274-0425

Kohl's  
PO Box 3120  
Milwaukee, WI 53201-3120

Lane Bryant  
PO Box 182125  
Columbus, OH 43218-2125

Lockhart Morris & Montgo  
833 Arapaho Road  
Richardson, TX 75081-2246

Lowe's  
PO Box 530914  
Atlanta, GA 30353-0914

MERRICK BANK  
Resurgent Capital Services  
PO Box 10368  
Greenville, SC 29603-0368

Macy's  
PO Box 183083  
Columbus, OH 43218-3083

Merrick Bank  
PO Box 9201  
Old Bethpage, NY 11804-9001

Midland Funding LLC  
8875 Aero Drive, Suite 200  
San Diego, CA 92123-2255

Navient  
PO Box 9533  
Minneapolis, MN 55405

Office of the United States Trustee  
Liberty Center.  
1001 Liberty Avenue, Suite 970  
Pittsburgh, PA 15222-3721

One Main Financial  
6801 Colwell Boulevard  
Irving, TX 75039-3198

PA Department of Revenue  
PO Box 281041  
Harrisburg, PA 17128-1041

PNC BANK, N.A.  
PO BOX 94982  
CLEVELAND, OHIO 44101-4982

PNC Bank  
PO Box 856177  
Louisville, KY 40285-6177

PNC Bank, N.A.  
Attn: Bankruptcy Department  
3232 Newmark Drive  
Miamisburg, OH 45342-5421

PNC Mortgage  
PO Box 8807  
Dayton, OH 45401-8807

Pennsylvania Dept. of Revenue  
Department 280946  
P.O. Box 280946  
ATTN: BANKRUPTCY DIVISION  
Harrisburg, PA 17128-0946

Peoples Natural Gas  
P.O. Box 535323  
Pittsburgh, PA 15253-5323

Peoples Natural Gas Company, LLC  
Attn: Dawn Lindner  
375 North Shore Drive, Suite 600  
Pittsburgh, PA 15212-5866

(p) PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Quantum3 Group LLC as agent for  
Comenity Bank  
PO Box 788  
Kirkland, WA 98083-0788

Alfonso L. Spells Springleaf (p) SPRINGLEAF FINANCIAL SERVICES  
2408 S. Braddock Avenue PO Box 64 P O BOX 3251  
Pittsburgh, PA 15218-2245 Canton, OH 44707-0064 EVANSVILLE IN 47731-3251

Kenneth M. Steinberg Sterling Jewelers, Inc. Sterling Jewelers, Inc. dba Kay Jewelers  
Steidl & Steinberg dba Jared The Galleria of Jewelry c/o Buckley King LPA  
Suite 2830 Gulf Tower. c/o Buckley King LPA 600 Superior Avenue East, Suite 1400  
707 Grant Street 600 Superior Avenue Cleveland, Ohio 44114-2693  
Pittsburgh, PA 15219-1908 Suite 1400  
Cleveland, Ohio 44114-2693

T-Mobile The Wilkinsburg Penn Joint Water Autho. Torrid  
c/o Diversified Consultants Inc 2200 Robinson Blvd. PO Box 182125  
10550 Deerwood Park Blvd #309 Pittsburgh, PA 15221-1193 Columbus, OH 43218-2125  
Jacksonville, FL 32256-2805

United Revenue Collection Venus Verizon  
PO Box 1184 PO Box 182125 c/o Chase Receivable  
Langhorne, PA 19047-6184 Columbus, OH 43218-2125 1247 Broadway  
Sonoma, CA 95476-7503

Victoria's Secret Vivint Inc. S. James Wallace  
PO Box 182125 62992 Collection Drive Griffith, McCague & Wallace, P.C.  
Columbus, OH 43218-2125 Chicago, IL 60693-0001 408 Cedar Avenue  
Pittsburgh, PA 15212-5507 Pittsburgh, PA 15212-5507

S. James Wallace Ronda J. Winnecour  
Griffith, McCague & Wallace, PC Suite 3250, USX Tower  
408 Cedar Avenue 600 Grant Street  
Pittsburgh, PA 15212-5507 Pittsburgh, PA 15219-2702

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Children's Place Continental Finance Discover Financial Services  
PO Box 183015 PO Box 105125 PO Box 30943  
Columbus, OH 43218-3015 Atlanta, GA 30348 Salt Lake City, UT 84130-0943

Portfolio Recovery Associates, LLC Springleaf Financial Services  
POB 12914 PO Box 3251 Evansville, IN 47731

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Capital One  
PO Box 71083  
Charlotte, NC 28272-1083

(u)Duquesne Light Company

(u)PNC Bank, National Association

End of Label Matrix

Mailable recipients	79
Bypassed recipients	3
Total	82

Form 222

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Alfonso L. Spells  
Tinika M. Robinson-Spells**  
Debtor(s)

Bankruptcy Case No.: 15-21453-CMB  
Related To Docket No. 74  
Chapter: 13  
Docket No.: 80 - 74  
Concil. Conf.: September 22, 2016 at 03:00 PM

**ORDER**

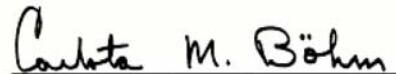
**IT IS HEREBY ORDERED** that, the Debtor(s) shall immediately serve a copy of this *Order*, the *Notice of Proposed Modification to Confirmed Plan* and the *Amended Plan Dated July 26, 2016* on the Chapter 13 Trustee and all parties on the mailing matrix and complete and file the accompanying *Certificate of Service* with the Clerk.

On or before **September 8, 2016**, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Untimely *objections* will not be considered.

On **September 22, 2016 at 03:00 PM**, a Conciliation Conference on the Debtor(s)' *Amended Plan* shall occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

Dated: July 28, 2016

  
Carlota M. Böhm,  
Judge  
United States Bankruptcy Court

cm: Debtor(s) and/or Debtor(s)' counsel

IN RE: )  
 )  
Alfonso L. Spells ) Case No. 15-21453 CMB  
Tinika M. Robinson-Spells ) Chapter 13  
Debtors ) Docket No.  
 )  
Alfonso L. Spells )  
Tinika M. Robinson-Spells )  
Movants )  
vs. )  
Allstate Security Systems, Ally Financial, )  
American Infosource, Berstein-Burkley, )  
Ashley Stewart, Best Buy, Borough of )  
Swissvale, Bureau of UC Benefits and )  
Allowances, Capital One NA, CNAC, )  
Capital One, Cavalry SPV I LLC, Chase )  
Receivables Prof. Collection Agency, )  
Citibank, Citizens Bank, Commonwealth of )  
PA Dept. of Labor & Industry, Continental )  
Finance Company LLC, Department Stores )  
National Bank for Macys, Department of )  
Economic Development, Discover Bank, )  
Discover Financial Services, Duquesne )  
Light Company, Equitable Gas Bankruptcy )  
Department, Fast Loans, Fingerhut, )  
Gordon's Jewelers, KML Law Group, )  
Internal Revenue Service, JC Penney, JD )  
Byrider, Jared, Kay Jewelers, Kohl's, Lane )  
Bryant, Lockhart Morris & Montgo, Lowe's )  
Merrick Bank, Macy's, Midland Funding )  
LLC, Navient, Office of the United States )  
Trustee, One Main Financial, PA )  
Department of Revenue, PNC Bank, PNC )  
Mortgage, Pennsylvania Department of )  
Revenue, People's Natural Gas, Portfolio )  
Recovery Associates, Quantum3 Group, )  
Sam's Club, Tucker Arensberg PC, )  
Springleaf, Springleaf Financial Services, )  
Sterling Jewelers, T-Mobile, The )  
Wilkinsburg Penn Joint Water Authority, )  
Torrid, United Revenue Collection, Venus, )  
Verizon, Victoria's Secret, Vivint Inc., )  
S. James Wallace, Ronda J. Winnecour )  
Respondents )

**NOTICE OF PROPOSED MODIFICATION TO**  
**CONFIRMED AMENDED CHAPTER 13 PLAN DATED AUGUST 15, 2015**

Chapter 13 Plan dated July 26, 2016 that is attached hereto. Pursuant to the Amended Chapter 13 Plan, the debtors seek to modify the confirmed plan in the following particulars:

- a. The debtors fell behind on their plan payments because both of the debtors changed their place of employment and no payments were remitted to the Chapter 13 Trustee during the interim period.
- b. The name JD Byrider has been changed to CNAC per the claim filed.
- c. The Pennsylvania Department of Revenue has a secured portion of the claim now listed on number nine of the Amended Chapter 13 Plan.
- d. The priority amount owed to the Pennsylvania Department of Revenue has been changed to agree with the Proof of Claim filed.
- e. The percentage payable to the general, non-priority unsecured creditors will remain at 5%. The pool had been changed to agree with the claims filed in this case.
- f. Counsel for the debtors will receive \$5,400.00 in attorney fees for additional work performed.
- g. The debtors' amended monthly plan payment is \$1,520.00 per month.

2. The proposed modification to the confirmed plan will impact the treatment of the claims to the following creditors and in the following particulars:

- a. The name JD Byrider has been changed to CNAC per the claim filed.
- b. The Pennsylvania Department of Revenue will be paid according to the claim filed.
- c. The general, non-priority unsecured creditors will be paid at 5% of claims filed.

3. The debtors submit that the reason for the modification is as follows:
  - a. Refer to paragraph number one.
4. The debtors submit that the requested modification is being proposed in good faith, and not for any means prohibited by applicable law. The debtors further submit that the proposed modification complies with 11 U.S.C. Section 1322(a), 1322(b), 1325(a), and 1329, and except as set forth above, there are no other modifications sought by way of the Amended Chapter 13 Plan.

WHEREFORE, the debtors respectfully request that this Court enter an Order confirming the Amended Chapter 13 Plan, and for such other relief the Court deems equitable and just.

Respectfully submitted,

July 26, 2016  
DATE

/s/ Kenneth M. Steinberg  
Kenneth M. Steinberg  
Attorney for the Debtors  
STEIDL & STEINBERG  
Suite 2830 – Gulf Tower  
707 Grant Street  
Pittsburgh, PA 15219  
(412) 391-8000  
PA I. D. No. 31244  
Fax No. (412) 391-0221  
kenny.steinberg@steidl-steinberg.com



**2. PERSONAL PROPERTY SECURED CLAIMS AND LEASE PAYMENTS ENTITLED TO PRECONFIRMATION ADEQUATE PROTECTION PAYMENTS UNDER SECTION 1326 (a)(1)(C)**

Creditors subject to these terms are identified below within parts 3b, 4b, 5b or 8b. Timely plan payments to the Trustee by the Debtor(s) shall constitute compliance with the adequate protection requirements of Section 1326 (a)(1)(C). Distributions prior to final plan confirmation shall be made at Level 2. Upon final plan confirmation, these distributions shall change to level 3. Leases provided for in this section are assumed by the Debtor(s).

**3(a). LONG TERM CONTINUING DEBTS CURED AND REINSTATED, AND LIEN (if any) RETAINED**

Name of Creditor (include account #)	Description of Collateral (Address or parcel ID of real estate, etc.)	Monthly Payment (If changed, state effective date)	Pre-petition arrears to be cured (w/o interest, unless expressly stated)
PNC Bank 0696	2408 S. Braddock Avenue, Pittsburgh, PA	\$564.82	\$660.69

3(b). Long term debt claims secured by PERSONAL property entitled to §1326 (a)(1)(C) preconfirmation adequate protection payments:

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**4. SECURED CLAIMS TO BE PAID IN FULL DURING TERM OF PLAN, ACCORDING TO ORIGINAL CONTRACT TERMS, WITH NO MODIFICATION OF CONTRACTUAL TERMS AND LIENS RETAINED UNTIL PAID**

4(a). Claims to be paid at plan level three (for vehicle payments, do not use "pro rata" but instead, state the monthly payment to be applied to the claim):

Name of Creditor	Description of Collateral	Contractual Monthly Payment (Level 3)	Principal Balance Of Claim	Contract Rate of Interest
Department of Economic Development <b>This debtor is not required to make any monthly payments on this third mortgage. This debt will be forgiven as of December 16, 2015.</b>	2408 S. Braddock Avenue, Pittsburgh, PA	\$0.00		
Ally Financial	2014 Dodge Dart	\$475.78	\$24,561.17	10.70%

4(b). Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C) (Use only if claim qualifies for this treatment under the statute, and if claims are to be paid at level two prior to confirmation, and moved to level three after confirmation):

Name of Creditor	Description of Collateral	Contractual Monthly Payment (Level 3)	Principal Balance Of Claim	Contract Rate of Interest

**5. SECURED CLAIMS TO BE FULLY PAID ACCORDING TO MODIFIED TERMS AND LIENS RETAINED**

5(a). Claims to be paid at plan level three (for vehicle payments, do not use "pro rata"; instead, state the monthly payment to be applied to the claim)

Name of Creditor	Description of Collateral	Modified Principal Balance	Interest Rate	Monthly Payment at Level 3 or Pro

				Rata
CNAC	2007 Kia Optima	\$3,465.69	8%	\$358.45
Sterling Jewelers d/b/a Jared the Galleria of Jewelry	Jewelry	\$251.87	0%	\$10.00
Sterling Jewelers d/b/a Kay Jewelers	Jewelry	\$1,965.76	0%	\$37.00

**PAWB Local Form 10 (07/13)**

5(b). *Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C) (Use only if claim qualifies for this treatment under the statute, and if claims are to be paid at level two prior to confirmation, and moved to level three after confirmation):*

Name of Creditor	Description of Collateral	Modified Principal Balance	Interest Rate	Monthly Payment at Level 3 or Pro Rata

**6. SECURED CLAIMS NOT PAID DUE TO SURRENDER OF COLLATERAL; SPECIFY DATE OF SURRENDER**

**7. THE DEBTOR PROPOSES TO AVOID OR LIMIT THE LIENS OF THE FOLLOWING CREDITORS:**

Name the Creditor and identify the collateral with specificity.	Name the Creditor and identify the collateral with specificity.
	Springleaf holds the third mortgage lien on property located at 2408 S. Braddock Avenue, Pittsburgh, PA

**8. LEASES. Leases provided for in this section are assumed by the debtor(s). Provide the number of lease payments to be made by the Trustee.**

8(a). *Claims to be paid at plan level three (for vehicle payments, do not use "pro rata"; instead, state the monthly payment to be applied to the claim):*

Name of Creditor (include account#)	Description of leased asset	Monthly payment amount and number of payments	Pre-petition arrears to be cured (Without interest, unless expressly stated otherwise)

8(b). *Claims entitled to preconfirmation adequate protection payments pursuant to Section 1326 (a)(1)(C) (Use only if claim qualifies for this treatment under the statute, and if claims are to be paid at level two prior to confirmation, and moved to level three after confirmation):*

Name of Creditor (include account#)	Description of leased asset	Monthly payment amount and number of payments	Pre-petition arrears to be cured (Without interest, unless expressly stated otherwise)

**9. SECURED TAX CLAIMS FULLY PAID AND LIENS RETAINED**

Name of Taxing Authority	Total Amount of Claim	Type of Tax	Rate of Interest *	Identifying Number(s) if Collateral is Real Estate	Tax Periods
PA Department of Revenue	\$821.88	Income	0%		2013

\* The secured tax claims of the Internal Revenue Service, Commonwealth of Pennsylvania and County of Allegheny shall bear interest at the statutory rate in effect as of the date of confirmation of the first plan providing for payment of such claims.

**PAWB Local Form 10 (07/13)**

**10. PRIORITY DOMESTIC SUPPORT OBLIGATIONS:**

If the Debtor (s) is currently paying Domestic Support Obligations through existing state court order(s) and leaves this section blank, the Debtor (s) expressly agrees to continue paying and remain current on all Domestic Support Obligations through existing state court orders. If this payment is for prepetition arrearages only, check here:  As to "Name of Creditor," specify the actual payee, e.g. PA SCDU, etc.

Name of Creditor	Description	Total Amount of Claim	Monthly Payment or Prorata

**11. PRIORITY UNSECURED TAX CLAIMS PAID IN FULL**

Name of Taxing Authority	Total Amount of Claim	Type of Tax	Rate of Interest (0% if blank)	Tax Periods
Borough of Swissvale	\$165.00	Trash service	0%	2015
Internal Revenue Service	\$3,793.44	Income	0%	2012-2013
PA Department of Revenue	\$12.01	Income	0%	2014
The Wilkinsburg Penn Joint Water Authority	\$191.74	Water service	0%	2015

**12. ADMINISTRATIVE PRIORITY CLAIMS TO BE FULLY PAID**

- a. Percentage fees payable to the Chapter 13 Fee and Expense Fund shall be paid at the rate fixed by the United States Trustee.
- b. Attorney fees are payable to Steidl & Steinberg, Suite 2830- Gulf Tower, 707 Grant Street, Pittsburgh, PA 15219. In addition to a retainer of \$600.00 in attorney fees, \$500.00 in expenses already paid by or on behalf of the Debtor, the amount of \$5,400.00 is to be paid at the rate of \$160.00 per month. Including any retainer paid, a total of \$ \_\_\_\_\_ has been approved pursuant to a fee application. An additional \$ \_\_\_\_\_ will be sought through a fee application to be filed and approved before any additional amount will be paid thru the Plan.

**13. OTHER PRIORITY CLAIMS TO BE PAID IN FULL**

Name of Creditor	Total Amount of Claim	Interest Rate (0% if blank)	Statute Providing Priority Status

**14. POST-PETITION UTILITY MONTHLY PAYMENTS.** This provision completed only if utility provider has agreed to this treatment.

These payments comprise a single monthly combined payment for post-petition utility services, any post-petition delinquencies and unpaid security deposits. The claim payment will not change for the life of the plan. Should the utility file a motion requesting a payment change, the Debtor will be required to file an amended plan. These payments may not resolve all of the post-petition claims of the utility. The utility may require additional funds from the Debtor (s) after discharge.

**PAWB Local Form 10 (07/13)**

Name of Creditor	Monthly Payment	Post-petition Account Number

**15. CLAIMS OF UNSECURED NONPRIORITY CREDITORS TO BE SPECIALLY CLASSIFIED.** If the following is intended to be treated as long term continuing debt treatment pursuant to Section 1322(b)(5) of the Bankruptcy Code, check here:

Name of Creditor	Principal Balance or Long Term Debt	Rate of Interest (0% if blank)	Monthly Payments	Arrears to be Cured	Interest Rate on Arrears

**16. CLAIMS OF GENERAL, NONPRIORITY UNSECURED CREDITORS**

Debtor(s) ESTIMATE that a total of \$3,377.00 will be available for distribution to unsecured, non-priority creditors. Debtor(s) UNDERSTAND that a MINIMUM of \$0.00 shall be paid to unsecured, non-priority creditors in order to comply with the liquidation alternative test for confirmation. The total pool of funds estimated above is NOT the MAXIMUM amount payable to this class of creditors. Instead, the actual pool of funds available for payment to these creditors under the plan base will be determined only after audit of the plan at time of completion. The estimated percentage of payment to general unsecured creditors is 5%. The percentage of payment may change, based upon the total amount of allowed claims. Late-filed claims will not be paid unless all timely filed claims have been paid in full. Thereafter, all late-filed claims will be paid pro-rata unless an objection has been filed within thirty (30) days of filing the claim. Creditors not specifically identified in Parts 1 - 15, above, are included in this class.

**GENERAL PRINCIPLES APPLICABLE TO ALL CHAPTER 13 PLANS**

This is the voluntary Chapter 13 reorganization plan of the Debtor (s). The Debtor (s) understand and agree that the Chapter 13 plan may be extended as necessary by the Trustee, to not more than sixty (60) months, in order to insure that the goals of the plan have been achieved. Property of the estate shall not re-vest in the Debtor (s) until the bankruptcy case is closed.

The Debtor (s) shall comply with the tax return filing requirements of Section 1308, prior to the Section 341 Meeting of Creditors, and shall provide the Trustee with documentation of such compliance at or before the time of the Section 341 Meeting of Creditors. Counsel for the Debtor(s), or Debtor (if not represented by counsel), shall provide the Trustee with the information needed for the Trustee to comply with the requirements of Section 1302 as to notification to be given to Domestic Support Obligation creditors, and Counsel for the Debtor(s), or Debtor (if pro se) shall provide the Trustee with the calculations relied upon by Counsel to determine the Debtor (s)' current monthly income and disposable income.

As a condition to eligibility of the Debtor(s) to receive a discharge upon successful completion of the plan, Counsel for the debtor(s), or the debtor(s) if not represented by counsel, shall file with the Court Local Bankruptcy Form 24 (Debtor's Certification of Discharge Eligibility) within forty-five (45) days after making the final plan payment.

All pre-petition debts are paid through the Trustee. Additionally, ongoing payments for vehicles, mortgages and assumed leases are also paid through the Trustee, unless the Court orders otherwise.

Percentage fees to the Trustee are paid on all distributions at the rate fixed by the United States Trustee. The Trustee has the discretion to adjust, interpret and implement the distribution schedule to carry out the plan. The Trustee shall follow this standard plan form sequence unless otherwise ordered by the Court.

The provisions for payment to secured, priority and specially classified creditors in this plan shall constitute claims in accordance with Bankruptcy Rule 3004. Proofs of claim by the Trustee will not be required. The Clerk shall be entitled to rely on the accuracy of the information contained in this plan with regard to each claim. If the secured, priority or specially classified creditor files its own claim, then the creditor's claim shall govern, provided the Debtor(s) and Debtor(s)' counsel have been given notice and an opportunity to object. The Trustee is authorized, without prior notice, to pay claims exceeding the amount provided in the plan by not more than \$250.

**PAWB Local Form 10 (07/13)**

Any Creditor whose secured claim is modified by the plan, or reduced by separate lien avoidance actions, shall retain its lien until the plan has been fully completed, or until it has been paid the full amount to which it is entitled under applicable non-bankruptcy law, whichever occurs earlier. Upon payment in accordance with these terms and successful completion of the plan by the Debtor(s), the creditor shall promptly cause all mortgages and liens encumbering the collateral to be satisfied, discharged and released.

Should a pre-petition Creditor file a claim asserting secured or priority status that is not provided for in the plan, then after notice to the Trustee, counsel of record, (or the Debtor(s) in the event that they are not represented by counsel), the Trustee shall treat the claim as allowed unless the Debtor(s) successfully objects.

Both of the preceding provisions will also apply to allowed secured, priority and specially classified claims filed after the bar date. LATE-FILED CLAIMS NOT PROPERLY SERVED ON THE TRUSTEE AND THE DEBTOR(S)' COUNSEL OF RECORD (OR DEBTOR, IF PRO SE) WILL NOT BE PAID. The responsibility for reviewing the claims and objecting where appropriate is placed on the Debtor.

**BY SIGNING THIS PLAN THE UNDERSIGNED, AS COUNSEL FOR THE DEBTOR(S), OR THE DEBTOR(S) IF NOT REPRESENTED BY COUNSEL, CERTIFY THAT I/WE HAVE REVIEWED ANY PRIOR CONFIRMED PLAN(S), ORDER(S) CONFIRMING PRIOR PLAN(S), PROOFS OF CLAIM FILED WITH THE COURT BY CREDITORS, AND ANY ORDERS OF COURT AFFECTING THE AMOUNT(S) OR TREATMENT OF ANY CREDITOR CLAIMS, AND EXCEPT AS MODIFIED HEREIN, THAT THIS PROPOSED PLAN CONFORMS TO AND IS CONSISTENT WITH ALL SUCH PRIOR PLANS, ORDERS AND CLAIMS. FALSE CERTIFICATIONS SHALL SUBJECT THE SIGNATORIES TO SANCTIONS UNDER FED.R.BANK.P. 9011.**

Attorney Signature: /s/ Kenneth M. Steinberg

Attorney Name and Pa. ID # Kenneth M. Steinberg #31244

Attorney Address and Phone: 707 Grant Street, Suite 2830-Gulf Tower, Pittsburgh, PA 15219  
412-391-8000

Debtor Signature: /s/ Alphonso L. Spells

Debtor Signature /s/ Tinika M. Robinson Spells

**PAWB Local Form 10 (07/13)**